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Counsel for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, NORTHERN DIVISION**

JOHN PALMER and JENNIFER KULAS,

Plaintiffs,

v.

KLEARGEAR.com,

Defendant.

**MOTION TO RESCHEDULE
HEARING**

Case No. 1:13-cv-00175

Judge Dee Benson

Plaintiffs JOHN PALMER and JENNIFER KULAS hereby move to reschedule the hearing currently set for June 4, 2014 at 3pm, because of the unavailability of counsel.

On May 15, 2014, Plaintiffs' counsel received via the ECF system this Court's order granting Plaintiffs' motion for a default judgment and Plaintiffs' request for a hearing to determine damages. Doc. 13. Unfortunately, undersigned counsel Mr. Michelman is unavailable on the date scheduled for the hearing, June 4, which falls in the middle of a two-week, prepaid family vacation (as noted in Plaintiffs' March 19 motion for a default judgment, Doc. 10).

Plaintiffs therefore move to reschedule the hearing. Plaintiffs' counsel note that, based on Mr. Perry's and Mr. Michelman's court schedules and pre-paid vacations, they are *unavailable* on the following dates through the end of August: May 29 through June 13; June 23 to July 11; and July 16-18. Counsel are otherwise available at the Court's convenience.

For these reasons, the hearing should be rescheduled. Counsel thank for the Court in advance for its consideration.

Respectfully submitted,

Dated: May 16, 2014

/s/ Lester Perry
Lester Perry

/s/ Scott Michelman
Scott Michelman (admitted pro hac vice)

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2014, I served the foregoing MOTION TO RESCHEDULE HEARING on Defendant KlearGear.com pursuant to Federal Rule of Civil Procedure 5(b)(2)(C), by causing a copy to be mailed via the U.S. Postal Service, first-class, postage prepaid, to the defendant at its last known address:

KlearGear.com
2885 Sanford Ave. SW #19886
Grandville, MI 49418-1342

Additionally, although not required by the Federal Rules of Civil Procedure, I emailed the foregoing MOTION TO RESCHEDULE HEARING to Defendant KlearGear.com at its last known email address, legal@kleargear.com.

Dated: May 16, 2014

/s/ Scott Michelman
Scott Michelman, D.C. Bar No. 1006945 (admitted pro hac vice)
Counsel for Plaintiffs